

Appl. No. : 09/838,949
Filed : April 19, 2001

REMARKS

This is in response to the Office Action mailed April 30, 2004. Claims 29-50 are pending in the application.

The Examiner indicated the rejection of pending Claims 39-41, 43-47 and 49-50 under 35 U.S.C. § 102(b) as anticipated by Behm et al. (USPN 5560610), Pollard (USPN 5193815) or Smith (USPN 5411260), and indicated the rejection of Claims 29-38, 42 and 48 under 35 U.S.C. § 103(a) as being unpatentable over those references, either alone or in combination with Makovic (USPN 4,443,012), Russell (USPN 4,105,850) and/or Leake (USPN 5,624,119).

The Examiner indicates that the cited references teach each and every step of the invention as claimed, including the recited step of "comparing" game and player symbols. Applicant asserts that the manner of "comparing" as claimed, however, defines a game which is significantly different than the games which are disclosed in the cited prior art.

The cited references all teach "bingo" type games. In the game of bingo, game numbers are generated and a comparison is performed to determine if the game numbers match any of the multiple player numbers. This manner of play is exemplified by Behm, but applies equally to prior art such as Pollard and Smith. Referring to Figure 1 of Behm and Exhibit A, attached hereto, game numbers are generated by scratching off the "caller's card" area. For each exposed game number, the player determines if that game number has a match to any of the player numbers anywhere on the "bingo" cards. For example, though the game number G49 appears in the first row and first column of the "caller's card," the player determines if the number G49 appears anywhere on any of the bingo cards, and if so, a match is declared. In the embodiment illustrated by Behm, a match

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exists on card #3 in the first row of column "G", and a match exists on card #4 in the third row of column "G."

Contrary to this configuration, the invention as claimed is a game in which only game symbols and player numbers in corresponding positions are compared. In the preferred embodiment as claimed, an entire row of game symbols are generated and are then compared to a corresponding row of player symbols, the comparison occurring on a corresponding position basis. A match is only declared if a game symbol and a player symbol in corresponding positions match. Exhibit B, attached hereto, and Figure 17 of the application illustrates such a configuration.

This significant difference between the present invention and the prior art is reflected in the claims. Claim 29 recites the step of providing a row of player symbols and a corresponding row of main symbols. Claim 29 further recites the steps of "comparing said main symbols in each of said positions of said row of main symbols to the corresponding player symbols in one of said rows of said matrix of player game symbols" and "indicating a match only if said main symbol in a position matches said player symbol in the corresponding position as said main symbol."

Thus, in accordance with Claim 29, a row of at least two main game symbols is compared to a corresponding row of the same number of player symbols, the comparison of the symbols only occurring as to game and player symbols in corresponding positions of the rows of main and player symbols. Matches are declared for game symbols and player symbols which match and which are in corresponding positions.

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This is significantly different than bingo games such as disclosed in the cited prior art, where bingo game numbers are compared to all of the player's numbers, and matches may be declared for any matches, even if the game numbers and player numbers are not in the same position.

In addition, Applicant notes that Claim 29 requires that there be at least two game symbols in a row and at least two player symbols in a row, and only the symbols in corresponding positions of those rows are compared. In bingo games such as Behm, the game numbers in each row are individually compared to all of the player numbers.

Similarly, Claim 39 recites the steps of:

displaying a set of main symbols to said players, said set of main symbols comprising a row of n symbols, said symbols selected from said group of symbols;
comparing all the n symbols of the row of main symbols to all of the n symbols of a corresponding row of player game symbols;
determining if said main symbols in corresponding positions of said row of player symbols match

As such, Claim 39 recites a game in which all of the symbols in one row (main symbols) are compared to all of the corresponding symbols of another row (player symbols) to determine if the symbols in corresponding positions of the two rows match one another.

Once again, Applicant asserts that this configuration is entirely different than a bingo game such as in Behm and the other cited prior art where the game or "caller" numbers are compared to all player or "bingo card" numbers, irrespective of position.

Applicant asserts that Claim 47 is allowable over the prior art for similar reasons to Claim 39.

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Dependent Claims 30-38, 40-46 and 48-50

These claims are believed allowable for at least the reason they depend from an allowable independent claim. Applicant asserts, however, that these claims also define patentable subject-matter.

For example, Claim 35 recites a game in which the set of main symbols which is displayed has the same number of rows as the number of rows of player symbols, and the corresponding multiple rows of main symbols and player symbols are compared. Applicant asserts that the prior art does not disclose such.

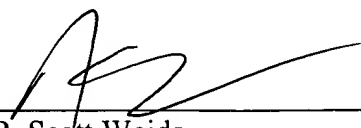
Summary

Applicant asserts that Claims 29-50 are in a condition for allowance and respectfully requests a notice as to the same. If any matters remain outstanding, the Examiner is invited to contact the undersigned by telephone.

Respectfully submitted,

Dated: October 28, 2009

By: _____


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